

# EXHIBIT

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**Maximilian D. Cadmus**

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**From:** Steve Harvey <steve@steveharveylaw.com>  
**Sent:** Tuesday, May 11, 2021 4:54 PM  
**To:** Eric W. Moran  
**Cc:** Mike Gehring; Theodora McCormick; Shana Fallon  
**Subject:** RE: Ryu v. Bank of Hope

\*\*\* EXTERNAL EMAIL \*\*\*

Dear Eric:

I cannot recall my exact words, but the sentiment was that if Count II is going to be tied up in the trial court for a long time and Plaintiff cannot get a Rule 54(b) judgment he may have no choice but to drop Count II so he can take Count I to the Court of Appeals without waiting years.

We still have the right to appeal to the District Judge on the Rule 54(b) issue and Plaintiff is not prepared to make a decision on that at this time.

However, I have given further thought to Plaintiff's request for punitive damages on Count II. The request was primarily based on Count I. While there is an argument for the request, because the settlement grew out of the bank depositor relationship, I have decided it is not worth pursuing. Thus, the Plaintiff has decided not to pursue punitive damages on Count II. This should simplify your briefing.

Plaintiff's decision not to pursue punitive damages on Count II should have no effect on any of his other claims or positions.

Please let me know if you have any questions or wish to discuss.

Thank you.

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**From:** Eric W. Moran <EMoran@ebglaw.com>  
**Sent:** Tuesday, May 11, 2021 1:33 PM  
**To:** Steve Harvey <steve@steveharveylaw.com>  
**Cc:** Mike Gehring <mike@steveharveylaw.com>; Theodora McCormick <TMcCormick@ebglaw.com>  
**Subject:** Ryu v. Bank of Hope

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Dear Steve,

We are preparing a motion consistent with that set forth in my April 21 letter and discussed on our May 6 teleconference with Judge Clark. As we have maintained throughout this case, however, we wish to avoid the time and cost of unnecessary motion practice. In that vein, you mentioned during the May 6 teleconference the possibility that Mr. Ryu might voluntarily dismiss Count II. It would be expensive and extremely wasteful for my client and the Court to prepare and file this motion only to have Mr. Ryu later voluntarily dismiss his remaining claim. Would you please confirm immediately whether or not he will be doing so, as our deadline for filing the motion is May 14?

Thanks,

Eric

EPSTEIN  
BECKER  
GREEN

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